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18 UNITED STATES DISTRICT COURT  
19 SOUTHERN DISTRICT OF CALIFORNIA

20 IN RE: MIDLAND CREDIT  
21 MANAGEMENT, INC.,  
22 TELEPHONE CONSUMER  
PROTECTION ACT LITIGATION.

Case No. 11-md-2286 MMA (MDD)

Member Cases: 10-cv-02261  
10-cv-02600  
10-cv-02368  
10-cv-02370

**JOINT MOTION TO CONTINUE  
DEADLINES IN AMENDED CASE  
MANAGEMENT ORDER RE:  
DISCOVERY THROUGH FILING  
OF CLASS CERTIFICATION  
MOTION**

1 On March 14, 2013, the parties participated in a mediation with Judge  
2 Herbert B. Hoffman (Ret.). Although the parties did not reach a settlement, the  
3 parties made progress and scheduled another mediation with Judge Hoffman on  
4 April 16, 2013.

5 On March 22, 2013, the parties filed a Joint Motion to Vacate Deadlines and  
6 Set a Case Management Conference. (Doc. No. 56.) The parties requested that the  
7 dates be vacated because the current case management order did not allow  
8 sufficient time for the parties to complete the mediation process.

9 On March 25, 2013, the Court issued an Amended Case Management Order  
10 Re: Discovery Through Filing of Class Certification Motion, setting a telephonic  
11 case management conference for three days after the anticipated mediation, April  
12 19, 2013 and continuing the various dates in the case management order. (Doc. No.  
13 55.)

14 On April 8, 2013, Defendant Encore Capital Group (“Encore”) announced  
15 that its board of directors had elected Ken Veccione to succeed Brandon Black as  
16 the company’s chief executive officer. As a result, shortly thereafter the parties and  
17 Judge Hoffman agreed to continue the mediation scheduled for April 16, 2013 to  
18 June 17, 2013 so as to allow sufficient time for Encore to transition leadership  
19 responsibilities from Mr. Black to Mr. Veccione and provide Encore with an  
20 opportunity to review its settlement position with the company’s new leadership.

21 In light of the mediation being continued, on April 17, 2013, the parties filed  
22 a joint motion to extend the scheduling order regulating discovery through the filing  
23 of class certification motion. (Doc. No. 59.) That same day, the Court issued an  
24 order granting the parties’ request and extending the various dates in the scheduling  
25 order. (Doc. No. 58.)

26 On June 17, 2013, the parties participated in another all-day mediation  
27 session with Judge Hoffman. The parties and Judge Hoffman found the mediation  
28 session to be productive and have mutually agreed to meet for two consecutive

1 additional sessions of mediation on August 26 & 27, 2013. Calendaring conflicts  
2 did not permit an earlier mediation.

3 Accordingly, the parties respectfully request that the Court continue the dates  
4 currently set in its Amended Case Management Order Re: Discovery Through  
5 Filing of Class Certification Motion as follows:

6 1. All expert disclosures required by Fed. R. Civ. P. 26(a)(2) shall be  
7 served on all parties on or before September 30, 2013. Any contradictory or  
8 rebuttal disclosures within the meaning of Rule 26(a)(2)(D)(ii) shall be disclosed on  
9 or before October 28, 2013.

10 2. The deadline to complete all fact and expert discovery necessary to  
11 support or oppose class certification shall be continued from September 25, 2013 to  
12 December 13, 2013.

13 3. The deadline to file any motion for class certification shall be  
14 continued from October 28, 2013 to January 10, 2014.

15 Dated: July 3, 2013

By s/ William S. Boggs

16 WILLIAM S. BOGGS  
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22 Midland Funding LLC, Midland Credit  
23 Management, Inc., and Encore Capital  
24 Group

1 Dated: July 3, 2013

2 LAW OFFICES OF DOUGLAS J.  
3 CAMPION, APC

4 By s/ Douglas J. Campion  
5 DOUGLAS J. CAMPION

6 Dated: July 3, 2013

7 EDELMAN, COMBS, LATTURNER &  
8 GOODWIN, LLC

9 By s/ James O. Lattuner  
10 JAMES O. LATTURNER

11 Co-Lead Counsel for Plaintiffs  
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CERTIFICATE OF SERVICE

I certify that on July 3, 2013, I caused a true and correct copy of the **Joint Motion to Continue Deadlines in Amended Case Management Order Re: Discovery Through Filing of Class Certification Motion** to be filed electronically with the Clerk of the Court through the CM/ECF System which will send notification of such filing to the e-mail addresses denoted in the Electronic Mail Notice List appearing on Pacer.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 3, 2013 at San Diego, California.

Dated: July 13, 2013

By s/William S. Boggs

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